

VZCZCXRO9939
PP RUEHDBU RUEHPW
DE RUEHBUL #0319/01 0431021
ZNY CCCCC ZZH
P 121021Z FEB 09
FM AMEMBASSY KABUL
TO RUEHC/SECSTATE WASHDC PRIORITY 7338
INFO RUCNAFG/AFGHANISTAN COLLECTIVE PRIORITY

C O N F I D E N T I A L SECTION 01 OF 03 KABUL 000319

SIPDIS

STATE FOR SCA/FO, SCA/A, S/CRS
CG CJTF-82, POLAD, JICCENT

E.O. 12958: DECL: 07/07/2018

TAGS: [PGOV](#) [AF](#)

SUBJECT: PARLIAMENT EXERCISES CHECK ON KARZAI THROUGH
CABINET VOTES

REF: KABUL 259

Classified By: Political Counselor Alan Yu for reasons 1.4 (b) and (d)

¶1. (C) SUMMARY. Parliament's Lower House confirmed two Cabinet nominees and rejected a third this week. The votes concluded another chapter in President Karzai's often rocky relationship with legislators, who have turned to Cabinet confirmations and no-confidence votes as one of their few checks on executive power. Karzai's government has stymied legislators' attempts to alter government-sponsored bills and mostly ignored MP-sponsored initiatives with which the Palace disagrees. Cabinet ministers themselves have been slow to answer parliamentary inquiries and routinely ignore requests to testify before committees. In response, MPs have sought to punish unresponsive or underperforming ministers with votes of no-confidence.

Latest Cabinet Changes

¶2. (C) On Februar 9 Lower House MPs confirmed Commerce Ministe Wahidullah Shahrani and Refugee and Repatriatin Affairs Minister Abdul Karim Brahawi in close votes. Controversial Border and Tribal Affairs nominee Assadullah Khalid fell six votes short. A combination of Karzai's unpopularity and questions concerning the nominees' qualifications accounted for most of the nay votes. A last-minute opposition campaign by Afghan Millat MPs, who saw the votes as a proxy battle between Karzai and party leader Anwarulhaq Ahadi, doomed Khalid. Ahadi resigned last week from the Ministry of Finance to launch a possible presidential campaign (ref A).

¶3. (C) Karzai reassigned Mohammad Omar Zakhiwal to the Finance Ministry from the Ministry of Transportation following Ahadi's departure. MPs expct it will be several weeks before they vote n Zakhiwal and his successor at transportaton. The Palace announced Karzai intends to kee Khalid as acting minister at border affairs nd seek another confirmation vote, as he did with a twice-failed nominee for the Ministry of Information and Culture in 2006. MPs say such a move is illegal.

Palace-Parliament Relations Strained

¶4. (C) Opposing Karzai's Cabinet choices is one of the few areas in which Parliament has been able to confound the Palace. In its first three years, Parliament has had difficulty passing its own legislation and altering government bills. In some cases where Parliament has amended Palace-drafted legislation, government officials have ignored Parliament's changes. The Ministry of Justice has yet to publish eight laws Parliament passed last fall by overriding Karzai's vetoes.

15. (C) Karzai's support among MPs has dropped sharply over the past year. Legislative observers believe the number of MPs who regularly attend Parliament and consistently support the president has dropped to fewer than 40 among the 249 seats in the Lower House. Karzai's parliamentary liaisons can mobilize another 40-60 votes by playing to Pashtun nationalism. While party discipline is still a work in progress in Parliament, Lower House Speaker Yunus Qanooni's United Front bloc can usually foil Karzai's wishes on most votes, even though it controls at best one-third of the house's seats.

Causes of the Poor Relations

16. (C) Many Cabinet ministers themselves have poor relations with MPs. Most ministers have been reluctant to appear before parliamentary sessions and committee meetings, despite Parliament's constitutional right to summon ministers. Rude and uninformed questioning from MPs has not enticed ministers to be more responsive. Personal rivalries -- some dating back 30 years -- or ethnic prejudices also complicate Cabinet-Parliament relations.

Ministers in Trouble

17. (C) Minister of Public Health Dr. Sayed Amin Fatimie experienced Parliament's appetite for impeachments on February 2 when the Lower House's health committee issued a report critical of his leadership of the ministry. Many suspected the report was a hatchet job orchestrated by the

KABUL 00000319 002 OF 003

committee's chairman, Dr. Naimatullah (Kabul), a known rival. Too few MPs were present that day to constitute a quorum, so an impromptu 73-0 vote against Fatimie was non-binding, but showed how quickly MPs can move to oust a minister. Speaker Qanooni, possibly weary of overreaching, assigned the health committee to further study Fatimie's performance. After tempers cooled, Fatimie survived a no-confidence vote nine days later. Parliament impeached the previous Commerce Minister, also on short notice, in December.

18. (C) According to several conversations with MPs, some 16 ministers in the 25-member Cabinet face varying degrees of opposition in Parliament. Paragraph 9 describes nine ministers MPs say may face no-confidence votes in the coming year. Paragraph 10 describes seven other ministers with difficulty in the legislature.

19. (C) The following nine Cabinet ministers have, in some form, troubled relations with Parliament:

- Minister of Mines Adel: Faces allegations of corruption from several MPs.
- Minister of Refugee and Repatriation Affairs Brahawi: Received only 104 of 193 votes at his February 9 confirmation hearing, in which he gave unimpressive answers to MPs' questions. Some MPs have been critical of his record in previous positions.
- Minister of Public Health Fatimie: See paragraph 7. Survived a recent no-confidence vote.
- Acting Minister of Border and Tribal Affairs Khalid: Failed a February 9 confirmation vote, though Karzai intends to keep him in office. Highly unpopular with MPs. Many believe he faked his higher education credentials.
- Minister of Energy and Water Khan: Improved electricity services in Kabul have tempered calls for his ouster, but many MPs are upset with his performance over the past four years.
- Minister of Information and Culture Khoram: Some MPs feel he is too conservative. Others are upset he has not implemented a media law passed last year by Parliament over Karzai's veto.
- Minister of Hajj and Religious Affairs Nehmatullah

Shahrani: Some MPs oppose having him in the Cabinet while his son is Commerce Minister. Other MPs are unimpressed by his performance in organizing logistics for the annual hajj (a criticism that forced out a former transportation minister).

- Minister of Commerce Wahidullah Shahrani: Received just 110 of 193 votes in his February 9 confirmation. Some MPs feel he is too young, while others oppose having him in the Cabinet while his father heads the Hajj Ministry. At least one MP believes Shahrani illegally holds British citizenship (Shahrani says he has a permanent UK visa).

- Minister of Foreign Affairs Spanta: Lost a no-confidence vote in 2007, though remains in office. Most MPs do not consider him a legitimate officeholder.

¶10. (C) The following seven Cabinet ministers are probably not in danger of impeachment, but do have occasional conflicts with Parliament:

- Minister of Interior Atmar: Some Tajik MPs are still upset with the ouster of Atmar's Tajik predecessor.

- Minister of Women's Affairs Ghazanfar: Most women MPs and civil society groups do not believe she is an effective advocate for women's rights, but there have been no calls for her impeachment.

- Minister of Economy Shams: Some MPs question his reported role in reconciliation talks with insurgent groups. They say these activities have distracted him from his official duties.

- Minister of Defense Abdul Rahim Wardak: Rarely answers calls to testify or responds to criticisms of his security strategies. Many Tajik MPs inherently oppose any Pashtun defense chief.

- Minister of Education Farooq Wardak: Some MPs distrust all of Karzai's close confidants and prefer he not serve in the Cabinet.

- Acting Finance Minister Zakhiwal: Most MPs believe he is qualified for the position, but some have not been impressed with his legislative engagement during his time in charge of the finance and transportation portfolios.

- Minister of Transportation (open): No nominee named yet, but this ministry has traditionally been subject to numerous corruption and embezzlement charges.

Outlook

KABUL 00000319 003 OF 003

¶11. (C) More confirmation and no-confidence votes give Parliament more opportunities to publicly thump Karzai's administration before the election. The Health Minister's troubles and the close confirmation votes for the most recent nominees foreshadow more rough times ahead between the executive and legislative branches. Some antagonism can be healthy -- Parliament's tougher stance could result in better responsiveness from ministers to MPs' inquiries -- but hair-trigger impeachments risk pushing out capable public servants and discouraging others from joining the government at a time when the country faces a series of challenging crises.

WOOD